

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/634,556	PEREGO, GIANLUCA <span style="float: right;">ST</span>	
	Examiner	Art Unit	
	Rodney B. White	3636	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed 9/15/2004.
2. ☒ The allowed claim(s) is/are 24-26, 29-31, 44-45, 27-28, 32-42, 46, 43, and 47, renumbered 1-24 respectively.
3. ☒ The drawings filed on 05 August 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

#### **In the Claims:**

24. (Currently Amended) A children's high chair comprising a supporting frame for a high chair for receiving a child, said frame comprising:

a first and second pair of pivoting legs with lower ends for resting on the ground, each of said pair of legs being movable between an open, use position and a closed, non-use position;

a stiffening crosspiece arranged at each side of the supporting frame and movable between a non-operational position allowing [closing] collapsible folding of the supporting frame to the closed, non-use position and an operational position in which said [crosspiece] crosspieces [enables] enable said pair of legs to be held steadily in the open position, said [crosspiece] crosspieces each having a lower surface forming a ground support; and

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a positioning means connected to each crosspiece for positioning each pair of legs into said closed, non-use position, [and] each crosspiece into said non-operational position and into said operational position, and into a lowered crosspiece position with said lower ends of said legs spaced from the ground to provide a rocker.

25. (Currently Amended) A children's high chair in accordance with claim 24, wherein said lower surface of said crosspiece is [shaped] curved to form a rocking shoe.

33. (Currently Amended) A children's high chair comprising a supporting frame for a high chair for receiving the child, said supporting frame comprising:

two pairs of legs openable from a closed, non-use position to a open, use position, [with] said legs having lower ends for resting on the ground;

two stiffening crosspieces arranged on both sides of said supporting frame and movable between a non-operational position with said supporting frame in a closed, non-use position and an operational position in which said crosspieces which are equipped with a lower surface designed for ground support can be moved to a further lowered operational position to rest on the ground with said lower surface for lifting said lower ends of said legs from the ground to constitute high chair rocking members, said crosspieces each having one end hinged to a first leg of each of said two pairs of legs to pivot between a raised crosspiece position and a lowered crosspiece position, and

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each of said crosspieces having another end connected to a running member movable along [on] a second leg of said two pairs of legs.

47. (Currently Amended) A children's high chair comprising a supporting frame for a high chair for receiving the child, said frame comprising;

a first pair of articulated legs with lower ends for resting on the ground, said first pair of legs being movable between an open, use position and a closed, non-use position;

a second pair of articulated legs with lower ends for resting on the ground, said second pair of legs being movable between an open, use position and a closed, non-use position;

a first stiffening crosspiece arranged at a first side of the frame connecting said first pair of legs;

a second stiffening crosspiece arranged at a second side of the frame connecting said second pair of legs; and

a first crosspiece connection means for connecting one end of said first stiffening crosspiece to a leg of said first pair of legs and with another end of said first stiffening crosspiece hinged to another leg of said first pair of legs to position said first pair of legs into the closed, non-use position and said first crosspiece [in] into [the] a [closed] non-operational position, said legs into [in] the open, use position to rest respective lower ends of said legs on the ground, and said first crosspiece into [in] an operational rocker

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position wherein a lower surface of said first stiffening crosspiece rests on the ground to provide the operational [rocking] rocker position;

a second crosspiece connection means for connecting one end of said second stiffening crosspiece to a leg of said second pair of legs and with another end of said second stiffening crosspiece hinged to another leg of said second pair of legs to position said second pair of legs into the closed, non-use position and said second crosspiece [in] into [the] a closed, non-operational position, said legs into [in] the open, use position to rest respective lower ends of said legs on the ground, and said second crosspiece into [in] an operational rocker position wherein a lower surface of said second stiffening crosspiece rests on the ground to provide the operational [rocking] rocker position.

The following is an examiner's statement of reasons for allowance: Prior art, specifically the two Dutton references ('509 and '709) and Lepard reference used in the 102(b) rejections of the first office action do not teach the two pairs of pivotal legs as defined in claims 24, 33, and 47. And although the Dutton reference ('334) and the newly cited Irwin et al reference (U.S. Patent No. 4,394,046) teach what could be considered tow pair of pivotal legs, neither of the references teach the lower ends of the legs lowered to rest on the ground.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney B. White whose telephone number is (703) 308-2276.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on (703) 308-0827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Rodney B. White,  
Patent Examiner  
Art Unit 3636  
September 29, 2004



RODNEY B. WHITE  
PRIMARY EXAMINER